

Box No. VIII(iii)

DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII(i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

BEHR AMERICA INC., is entitled to claim priority of earlier application

No. 60/558,140 filed in the United States of America by virtue of the following:

an assignment from KENNEDY, Lawrence C., GALLAGHER, James F., and STEPHENSON, Philip to BEHR AMERICA INC., dated 15 June 2004 (15.06.2004)

This declaration is made for the purposes of all designations, except for the designation of the United States of America



This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".